

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MASTER DOMENIC J. DIMAIO,</b>	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	<b>CIVIL ACTION NO. 19-CV-1043</b>
	:	
<b>GEORGE W. HILL</b>	:	
<b>INTAKE DEPT., et al.,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

AND NOW, this 18<sup>th</sup> day of March, 2019, upon consideration of *pro se* Plaintiff Domenic J. DiMaio's Motion for Leave to Proceed *In Forma Pauperis* (ECF No. 1) and Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED without prejudice** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons set forth in the Court's Memorandum.
4. DiMaio is given leave to file an amended complaint within thirty (30) days of the date of this Order if he can state a plausible claim for relief against a proper defendant. Any individual or entity that is not listed in the caption of the amended complaint will not be treated as a defendant. Any amended complaint must be a complete document that describes in detail the basis for DiMaio's claims against each defendant. If DiMaio files an amended complaint, the Clerk shall not make service until so **ORDERED**.
5. The Clerk of Court is **DIRECTED** to send DiMaio a copy of this Court's form complaint to be used by a *pro se* individual filing a civil action. DiMaio may use this form to prepare his amended complaint.

6. If DiMaio fails to file an amended complaint, his case may be dismissed without prejudice for failure to prosecute without further notice.

**BY THE COURT:**

**/s/ Cynthia M. Rufe**

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**CYNTHIA M. RUGE, J.**